IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

MONDAY, THE 13TH AUGUST 2007 / 22ND SRAVANA 1929

WP(C).No. 24438 of 2007(H)

PETITIONER:

THE MANAGER,
ST. MARY'S ENGLISH MEDIUM SCHOOL, CHITTARIKKAL.

BY ADV. SRI.KURIAN GEORGE KANNAMTHANAM (SR.)
SRI.TONY GEORGE KANNANTHANAM

RESPONDENTS:

STATE OF KERALA,
REPRESENTED BY SECRETARY, GENERAL EDUCATION
DEPARTMENT, GOVT.SECRETARIAT, TRIVANDRUM.

BY GOVERNMENT PLEADERS SRI.A.J.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K.BASHEER, J.

W.P.(C)No.24438 OF 2007

Dated this the 13th day of August, 2007

JUDGMENT

Petitioner is stated to be the manager of an "unaided unrecognized mixed school" in Kasargod District. He prays for a direction to the respondent to take a decision on the application submitted by him for recognition of the Upper Primary Section in the school.

2. In the nature of the limited prayer made by learned counsel for petitioner at the Bar, I do not deem it necessary to refer to the various aspects of the issue as highlighted by the petitioner at this stage. Learned counsel points out that the local statutory body namely East Eleri Grama Panchayat, Chittarikkal has passed a resolution supporting the claim of the petitioner. A copy of the resolution of the Panchayat has been produced as Ext.P1. Learned Government Pleader submits that appropriate decision on the request made by the petitioner, if any, will be considered in the light of the guidelines contained in Ext.P4 order issued by the

Government in June 2007.

3. In the above facts and circumstances, the writ petition is disposed of with a direction to the respondent to consider the request made by the petitioner for grant of recognition for Upper Primary Section in his school in the light of clause 2(ii) of Ext.P4 order of the Government and also keeping in view Ext.P1 resolution of the Panchayat, the survey report of the departmental officer and all other relevant criteria as envisaged in Ext.P4 order. This shall be done as expeditiously as possible, at any rate, within three months from the date of receipt of a copy of this judgment after affording sufficient opportunity of hearing to the petitioner or his authorized representative. Petitioner shall produce a copy of the writ petition along with a certified copy of the judgment before the respondent for compliance.

Writ petition is disposed of as above.

A.K.BASHEER, JUDGE

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